

INVITATION TO BID		CITY OF BATON ROUGE PARISH OF EAST BATON ROUGE PURCHASING DIVISION		RESPONSES MUST BE RECEIVED BY: 08/03/16 11:00 a.m. CST	
TITLE: 2016 HYDRAULIC 4x2 EXCAVATOR			RETURN BID TO: PURCHASING DIVISION		
FILE NO: 02591-16 REQ NO: RQ039837			Mailing Address: PO Box 1471 Baton Rouge, LA 70821		
AD DATES: 07/12/16 & 07/19/16			Physical Address: 222 St. Louis Street 8th Floor Room 826 Baton Rouge, LA 70802		
SHIP TO ADDRESS: Department of Public Works – Central Garage 333 Chippewa Street Baton Rouge, LA 70805			CONTACT REGARDING INQUIRIES: Purchasing Analyst : Dexter Stewart Telephone Number: 225-389-3259 x 323 Email: dsstewart@brgov.com		
VENDOR NAME			MAILING ADDRESS		
REMIT TO ADDRESS			CITY, STATE, ZIP		
TELEPHONE NO.		FAX NO.		E-MAIL	
FEDERAL TAX ID OR SOCIAL SECURITY NUMBER				TITLE	
AUTHORIZED SIGNATURE				PRINTED NAME	
QUESTIONS TO BE COMPLETED BY VENDOR:					
1. _____ STATE DELIVERY DAYS MAXIMUM AFTER RECEIPT OF ORDER					
2. _____ % discount for payment made within 30 days. Discount for payment made in less than 30 days, or less than 1%, or applicable to an indefinite quantity contract will be accepted but not an award consideration.					
3. _____ STATE ENUMERATED ADDENDA RECEIVED (IF ANY)					

F.O.B.: DESTINATION - PAYMENT TERMS: NET 30
ALL BLANKS ON THIS PAGE SHOULD BE COMPLETED TO AVOID REJECTION OF BID

The signature on this document certifies that bidder has carefully examined the instructions to bidders, terms and specifications applicable to, and made a part of this solicitation. By submission of this document, bidder further certifies that the prices shown are in full compliance with the conditions, terms and specifications of this solicitation.

No alterations, changes or additions are allowed on this solicitation, and no additional information, clarifications or other documents are to be included unless specifically required by the specification. Any errors in extensions of prices will be resolved in favor of unit prices submitted.

If services are to be performed in East Baton Rouge City-Parish, evidence of a current occupational license and/or permit issued by the City-Parish shall be supplied by the successful vendor, if applicable.

2016 HYDRAULIC 4x2 EXCAVATOR PRICING SHEET

ITEM	DESCRIPTION	QUANTITY	UNITS	PRICE	EXTENDED PRICE
0001	2016 HYDRAULIC 4x2 EXCAVATOR (Gradall XL3100 IV) or Approved Equal – See Specifications State Brand and Model # Bidding: _____	1	Each	\$ _____	\$ _____
0002	AIR CONDITIONING (Gradall 80789049) or Approved Equal – See Specifications State Brand and Model # Bidding: _____	1	Each	\$ _____	\$ _____
0003	DITCHING BUCKET WITH BOLT ON CUTTING EDGE – 60” (Gradall 8065-6007) or Approved Equal – See Specifications State Brand and Model # Bidding: _____	1	Each	\$ _____	\$ _____
0004	FIXED THUMB GRAPPLE (Gradall 8075-5023) or Approved Equal – See Specifications State Brand and Model # Bidding: _____	1	Each	\$ _____	\$ _____
0005	FREIGHT / DELIVERY	1	Each	\$ _____	\$ _____
TOTAL BID \$ _____					

2016 HYDRAULIC 4x2 EXCAVATOR SPECIFICATIONS

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The specification describes the minimum requirements. Equipment shall be new, of current manufacture, a production model, and meet or exceed the minimum requirements. Bidders should identify whether the proposed product bidding comply with the minimum requirements and identify any deviations to the requirements.

UNDERCARRIAGE		
Specification	DESCRIPTION	DEVIATION (if applicable)
1	Wheelbase: 160"	
2	Frame: 48" (1.2m) wide, welded plate design 65 ksi material	
3	Gross vehicle axle weight rating: 41,250 lbs. (18,711 kg)	
4	Front Axles: Meritor Model MFS-16-122A, 16,000 lbs. (7,257 kg) rating	
5	Rear Axles: Meritor RS25-160, 25,250 lbs. (11,453 kg) rating. 7.17 ration, single reduction with driver controlled differential lock	
6	Suspension: Front 8 leaf spring with automatic lock-out cylinders Rear: Solid mount	
7	Brakes, Front: Meritor "Q" Series Cam-Master Size: 16.5" x 5" (419 mm x 152 mm) Automatic Slack Adjusters Brakes, Rear: Meritor "P" Series Cam-Master Size: 16.5" x 7" (419 mm x 178 mm) Automatic Slack Adjusters Spring brake system incorporates emergency and parking brakes on the rear axle	
8	Tires: Front: 385/65R22.5 18-ply on/off highway tread Rear: 11r24.5 16-ply on/off highway traction tread	
9	Steering: Ross, integral hydraulic power steering. Gear type power steering pump. 4-quart power steering reservoir with filter and 10 micron pre-filter.	
10	Standard chassis equipment: Halogen headlights, tail lights, back-up lights and alarm, stoplights, identification lights front and rear, directional lights, 4-2ay hazard lights, work lights, and instrument panel lights. Windshield wiper/washer, West Coast style mirror system with plane and convex mirrors, front and rear tow hooks, desiccant type air dryer with automatic purge valve and thermostatically controlled heater.	

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HYDRAULIC SYSTEM		
Specification	DESCRIPTION	DEVIATION (if applicable)
11	Pumps: One load-sensing, axial piston pump; 8-55 GPM (30-208 L/min) total	
12	One gear pump (pilot & cooling) 11 gpm (42 L/min)	
13	System Specifications: Four double acting cylinders: 2 hoist cylinders: 3.5" x 2.56" Rod x 31" stroke 89mm x 65mm x 787mm 1 tool cylinder: 4.25" Borex 3.0" Rod x 25.9 stroke (108mm x 76 x 658) 1 telescope 3.5" ID, 2.559" Rod (89mm x 65mm), 11' (3.34m) stroke Three hydraulic motors: Swing, 51 HP (38kW); tilt 21 HP (16kW); remote drive, 110 HP (82kW) total Operating Pressures: Hoist 4,800 (psi) 331 BAR Tilt 2,500 (psi) 172 BAR Swing 3,000 (psi) 206 BAR Tool 4,800 (psi) 331 BAR Telescope 4,800 (psi) 331 BAR Remote Propel 4,800 (psi) 331 BAR Pilot System 550 (psi) 38 BAR	
14	Oil Capacity: Reservoir 50 gallons *189 L), system 65 gallons (246 L). Pressurized reservoir with visual oil level gauge Filtration system: 5 micron return filter with magnet 10 micron pilot filter Fin and tube-type oil cooler with thermostatically controlled cooling fan Pressure-compensated, load-sensing valves with circuit reliefs in all circuits	

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CHASSIS CAB		
Specification	DESCRIPTION	DEVIATION (if applicable)
15	One-person cab, left-hand mount, isolated from frame on rubber mounts. Acoustical lining. Sun visor. Gauges for oil pressure, coolant temperature, air tank pressures, fuel level, DEF level, voltmeter, speedometer with odometer, tachometer, hour meter. Engine and transmission monitor lights. Engine shutdown controlled by engine electronics. Rear axle differential lock. Park brake control. Tinted safety glass. Sliding side windows. Fresh air heater and defroster. Dome light. Air suspension seat with seat belt. Vent in door.	
UPPER STRUCTURE CAB		
16	<p>All-weather cab isolated from frame on rubber mounts. Tinted safety glass windows, skylight, acoustical lining, four-way adjustable operator's seat, dome light, filtered air heater and defroster. AM/FM Radio, air conditioning, work light package.</p> <p>The heat source is provided by a fast response, closed circuit hydraulic heater with 20,000 BTU/hr. capacity.</p> <p>Front window slides to overhead storage. Rearview mirrors on right and left sides of the machine. Windshield wiper and washer.</p>	
HYDRAULIC REMOTE CONTROL		
17	<p>Upperstructure powered by chassis hydraulics through hydraulic motor and transfer case. Travel and steering pedals in upperstructure cab. Digging brakes and front axle lockout cylinders set automatically with travel pedal in neutral. Parking brakes controlled by toggle.</p> <p>Electrically operated alarm mounted on undercarriage signal remote control movement in either direction, reverse movement when driven from undercarriage cab.</p>	

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ENGINE																											
Specification	DESCRIPTION	DEVIATION (if applicable)																									
18	<p>Detroit Diesel OM926 Tier 4i diesel with Selective Catalytic Reduction 4 cycle, inline 6 cylinder, liquid cooled Turbo/Charge air aftercooled Off-road Certified Electronic controlled Vertical canister style lube filter attached to engine Vertical canister style fuel filters, (mam and pre-filter) attached to engine Remote mount primary fuel/water separator Gross Rating 235 HP @ 2200 RPM 627 FT LB Torque @ 1200 RPM Net Rating 218 HP @ 2200 RPM</p> <p>Air filter 2-stage dry type with safety element, ejector valve and service indicator</p> <p>Electrical System 24 volt, 70 amp alternator with integral voltage regulator 2 SAE #C31-S 1000 CCA batteries</p> <p>Chassis Cooling Package consists of three aluminum bar-plate type coolers stacked vertically an air-air charge air cooler, radiator, and a transmission cooler All three coolers are backed by a molded fan shroud and a 28", nine-blade fan driven by a Horton thermostatically controlled, variable-speed fan drive</p> <p>Fuel Tank Capacity 100 gal (378 L)</p> <p>Urea Tank Capacity 105 gal (40 L)</p> <p>Transmission Allison 3500 RDS 6-speed automatic</p> <p>Gear Speeds (with 11R245 tires)</p> <table><tr><td>Gear</td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td></tr><tr><td>MPH</td><td>6.6</td><td>17.0</td><td>25.3</td><td>39.2</td><td>52.9</td><td>60.0</td></tr><tr><td>Km/hr</td><td>(10.6)</td><td>(27.4)</td><td>(40.7)</td><td>(63.1)</td><td>(85.1)</td><td>(96.6)</td></tr></table> <p>Gear Rev</p> <table><tr><td>MPH</td><td>6.4</td></tr><tr><td>Km/hr</td><td>(10.3)</td></tr></table> <p>Drivelines Spicer 1710 Series with "Half Round" yokes</p> <p>Transfer Case (4 x 2) Cushman Model 479-1, 1 1 Ratio, Pneumatic engage for Remote Propel</p>	Gear	1	2	3	4	5	6	MPH	6.6	17.0	25.3	39.2	52.9	60.0	Km/hr	(10.6)	(27.4)	(40.7)	(63.1)	(85.1)	(96.6)	MPH	6.4	Km/hr	(10.3)	
Gear	1	2	3	4	5	6																					
MPH	6.6	17.0	25.3	39.2	52.9	60.0																					
Km/hr	(10.6)	(27.4)	(40.7)	(63.1)	(85.1)	(96.6)																					
MPH	6.4																										
Km/hr	(10.3)																										

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UPPER STRUCTURE CONTROLS		
Specification	DESCRIPTION	DEVIATION (if applicable)
19	<p>Two electronic joysticks (hoist and bucket, telescope and swing), one rocker switch (tilt) control. Joysticks are mounted on arm pods that are adjustable for individual operator comfort and convenience. Quick change joystick pattern switch located on instrument panel.</p> <p>Two foot pedals for remote control of undercarriage steering, travel and digging brakes.</p> <p>Joysticks and pedals are self-centering; when controls are released, power for movement disengages and swing and travel brakes set automatically.</p> <p>Engine Controls: Key ignition switch with neutral start and indicator lights for low air, engine status, park brake, travel status, hydraulic fluid temperature and level.</p> <p>Automatic engine shutdown occurs with low oil pressure, or high coolant temperature.</p>	
SWING		
20	<p>Priority swing circuit with axial piston motor Planetary transmission Swing speed 8 rpm</p> <p>Swing brake Automatic spring-set/hydraulic Release wet disc parking brake Dynamic braking Is provided by the hydraulic system</p>	
ATTACHMENTS		
21	<p>DITCHING BUCKET WITH BOLT ON CUTTING EDGE – 60"</p> <p>Capacity: 7/8 cubic yard, .78 cubic meters Quick change</p>	
22	<p>FIXED THUMB GRAPPLE</p> <p>Quick change</p>	

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LOAD POINT HEIGHT		LOAD RADIUS										
		10' 0.0m		15' 0.0m		20' 0.0m		25' 0.0m		Maximum Radius	Over End	Over Side
		Over End	Over Side	Over End	Over Side	Over End	Over Side	Over End	Over Side			
Above Ground Level	19.6 (6.1m)									20'2 (6.1m)	3625 (1643)	3825 (1645)
	15 (4.6m)			6475 (2933)	6475 (2933)	4320 (1963)	4320 (1963)			22'8 (6.9m)	3545 (1610)	3545 (1610)
	10' (3.0m)			7655 (3470)	7655 (3470)	4890 (2220)	4890 (2220)			24'0 (7.3m)	3560 (1615)	3560 (1615)
	BOOM LEVEL 8' 8" (2.7m)			7840 (3555)	7840 (3555)	4975 (2255)	4975 (2255)			24'2 (7.4m)	3575 (1620)	3575 (1620)
	5 (1.5m)			7870 (3570)	7870 (3570)	5050 (2290)	5045 (2290)			24'2 (7.4m)	3625 (1645)	3825 (1645)
At Ground Level				6840 (3105)	6840 (3105)	4710 (2135)	4710 (2135)			23'3 (7.1m)	3720 (1685)	3720 (1685)
Below Ground Level	5 (1.5m)	5920 (2685)	5920 (2685)	5920 (2685)	5920 (2685)	4030 (1830)	4030 (1830)			21'0 (6.4m)	3785 (1715)	3785 (1715)
	10 (3.0m)	3590 (1630)	3590 (1630)	3880 (1750)	3880 (1750)					16'11 (5.1m)	3665 (1660)	3665 (1660)
	14'4" (4.4m)									9'9 (3m)	2155 (975)	2155 (975)

Loads shown in shaded areas indicate the load is limited by tipping rather than hydraulic lift capacity

The load point is located on the bucket pivot point, including load listed for maximum radius

Do not attempt to lift or hold any load greater than these rated values at specified load radii and heights. The weight of slings and any auxiliary devices must be deducted from the rated load to determine the net load that may be lifted.

ATTENTION: All rated loads are based on the machine being stationary and level on a firm supporting surface. For safe working loads, the user must make allowance for his particular job conditions such as soft or uneven ground, out of level conditions, side loads, hazardous conditions, experience of personnel, etc. The operator and other personnel must fully acquaint themselves with the Operator's Manual furnished by the manufacturer before operating this machine. Rules for safe operation of equipment must be adhered to at all times.

NOTE: The above loads are in compliance with SAE standard J1097 DEC2005. They do not exceed 87% of hydraulic lifting capacity or 75% of the tipping capacity.

NOTE: Bucket adjustment values are 87% of the actual bucket weights.

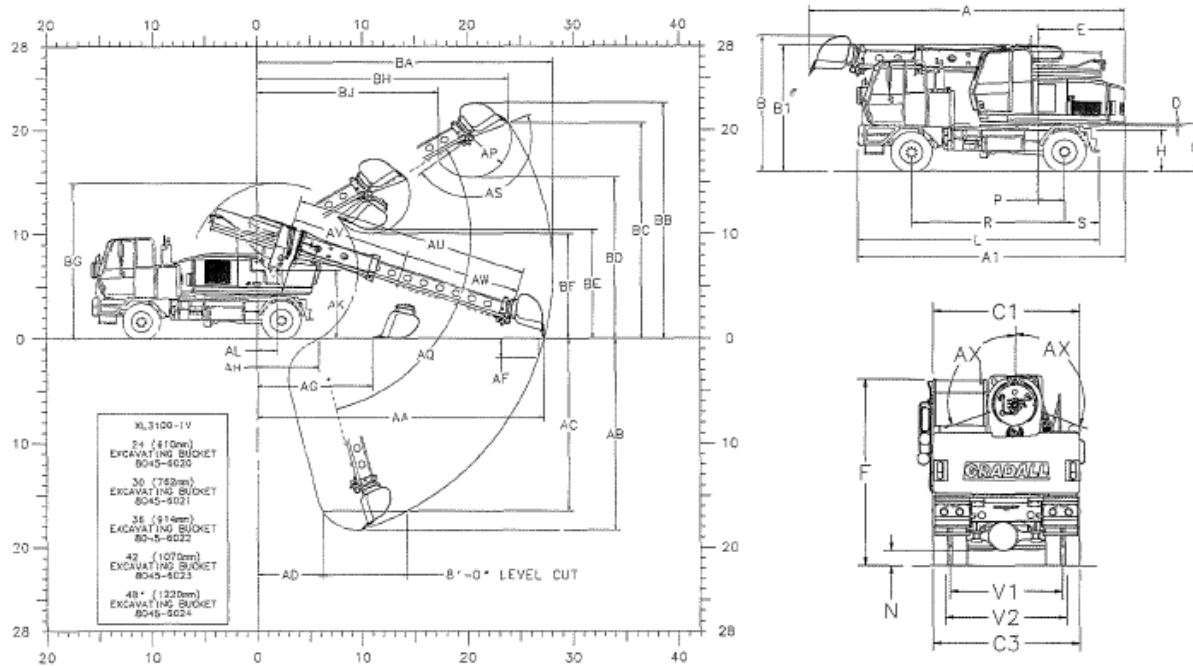
The rated lift capacity is based on the machine being equipped with 6,000 lb (2720 kg) counterweight, standard boom, standard tires, no auxiliary hydraulics, and no bucket. Adjust the listed rated capacities by subtracting the value listed for bucket/attachment used.

8065-6007 60" (1.5m)	Ditching-	807lbs (366kg)
8065-6006 66" (1.7m)	Ditching-	892lbs (405kg)
8065-6002 72" (1.8m)	Ditching-	944lbs (428kg)
8045-6020 24" (610mm)	Excavating	603lbs (274kg)
8045-6021 30" (762mm)	Excavating	660lbs (300kg)
8045-6022 36" (914mm)	Excavating	741lbs (336kg)
8045-6023 42" (1.1m)	Excavating	841lbs (382kg)
8045-6024 48" (1.2m)	Excavating	957lbs (434kg)
8065-6013 72" (1.8m)	Dredging	1114lbs (505kg)
8065-6102 40" (1.0m)	Pavement	1262lbs (573kg)
8065-6024 8" (2.4m)	Blade	630lbs (285kg)
8065-6009 Single Tooth Ripper	Ripper	557lbs (253kg)

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Shown with 8035-6006 48" (1.2m) excavating bucket

4 x 2

A	27'6" (8.4m)
A1	23'3" (7.1m)
B	11'11" (3.6m)
B1	11'1" (3.4m)
C1	8'6" (2.6m)
C3	8'6" (2.6m)
D	2" (45mm)
E	7'6" (2.3m)
F	10'10" (3.3m)
G	50" (1.3m)
H	44" (1.1m)
L	21'0" (6.4m)
N	10" (254mm)
P	28" (701mm)
R	13'4" (4.1)
S	36" (916mm)
V1	6'6" (2.0m)
V2	7'0" (2.1m)
AA	27'3" (8.3m)
AB	18'4" (5.6m)
AC	16'6" (5.0m)
AD	6'3" (1.9m)
AF	1'10" (0.6m)
AG	11'0" (3.3m)
AH	5'11" (1.8m)
AK	6'6" (2.0m)
AL	23" (596mm)
AP	46" (1.2m)
AQ	30° Up & 75° Down
AS	165°

Overall length (boom in rack) with bucket
Overall length (boom in rack) without bucket
Overall height (boom in rack) with bucket
Overall height (boom in rack) without bucket
Width of upper structure
Width of undercarriage
Minimum clearance, upperstructure to undercarriage
Swing clearance, rear of upperstructure
Top of cab to ground line
Clearance, upperstructure to ground line
Top of wheel mounted undercarriage frame to ground line
Overall length of undercarriage
Ground clearance (per SAE J1234)
Center of rear axle to axis of rotation
Wheel base
Center of rear axle to rear of frame (step)
Tread, rear axles 4x4 (10.00 x 20 tires), 4x2 (Spoke Wheels)
Tread, front axle 4x4 (15.00 x 22.5 tires), 4x2 (Spoke Wheels)
Maximum radius at ground line (165° pivot)
Maximum digging depth (165° pivot)
Maximum depth for 8' level cut
Maximum radius of 8' level cut at depth "AC"
Maximum depth of vertical wall which can be excavated
Minimum level cut radius with bucket flat on ground line
Minimum radius at ground line
Boom pivot to ground line
Boom pivot to axis of rotation
Bucket tooth radius
Boom pivot angle
Bucket pivot angle

4 x 2

AU	22'3" (6.8m)
AV	11'3" (3.4m)
AW	11'0" (3.4m)
AX	110°
BA	28'1" (8.6m)
BB	22'7" (6.9m)
BC	20'8" (6.3m)
BD	15'5" (4.7m)
BE	10'5" (3.2m)
BF	10'1" (3.1m)
BG	14'11" (4.5m)
BH	23'11" (7.3m)
BJ	17'3" (5.3m)

Rated boom force
21,940 lb (976kN)

Rated bucket breakout force:
17,990 lb (80kN)

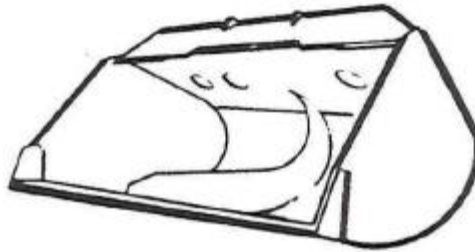
Weight:

Approximate working weight, including 30" (762mm) bucket, fuel tank half full
4x2 40,930 lb (18,566 kg)

Maximum telescoping boom length (boom pivot to bucket pivot)
Minimum telescoping boom length (boom pivot to bucket pivot)
Telescoping boom travel
Bucket tilt angle (both sides of center)
Maximum radius of working equipment
Minimum clearance of bucket teeth, with bucket pivot at maximum height
Maximum bucket tooth height
Minimum clearance of bucket teeth, with bucket pivot at maximum height
Minimum clearance of fully curled bucket at maximum boom height
Minimum clearance of bucket teeth at maximum boom height
Maximum height of working equipment with bucket below ground line
Radius of bucket teeth at maximum height
Minimum radius of bucket teeth at maximum bucket pivot height

ATTACHMENTS

Ditching Bucket

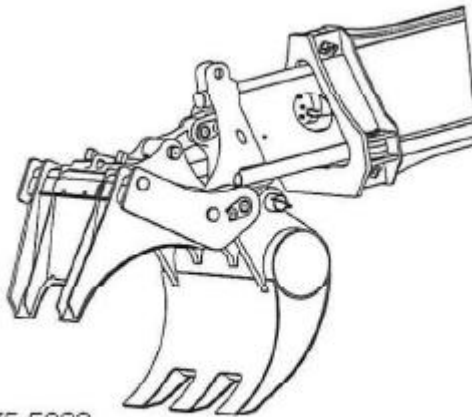


Cu. yd. m³

8065-6007 60" (1.52m)
Ditching bucket

7/8 .73

Fixed Thumb Grapple



8075-5023
Fixed Thumb Grapple

INSTRUCTIONS TO BIDDERS / TERMS & CONDITIONS - SEALED BIDS

Bidders are urged to promptly review the requirements of this specification and submit questions for resolution as early as possible during the bid period. Questions or concerns must be submitted in writing to the purchasing division during the bid period. Otherwise, this will be construed as acceptance by the bidders that the intent of the specifications is clear and that competitive bids may be obtained as specified herein. Protests with regard to the specification documents will not be considered after bids are opened.

1. Read the entire bid, including all terms and conditions and specifications.
2. Bids are mailed only as a courtesy. The City - Parish does not assume responsibility for failure of bidders to receive bids. Bidders should rely only on advertisements in the local newspaper, and should personally pick up bids and specifications. Full information may be obtained, or any questions answered, by contacting the Purchasing Division, 222 Saint Louis Street, 8th Floor, Room 826, Baton Rouge, LA 70802 or by calling (225) 389-3259.
3. The bid number, bidder's name, address and bid opening date should be clearly printed or typed on the outside of the bid envelope. Only one bid will be accepted from each bidder for the same job. Alternates will not be accepted unless specifically requested in the proposal. Submission of more than one bid or alternates not requested may be grounds for rejection of all bids by the bidder.
4. The method of delivery of bids is the responsibility of the bidder. All bids must be received by the Purchasing Division, 222 Saint Louis Street, 8th Floor, Room 826, Baton Rouge, LA 70802 on or before the specified bid opening date and time. Late bids will not be considered under any circumstances.
5. After opening, bids may not be withdrawn for a period of sixty (60) days.
6. The City Parish specifically reserves the right to evaluate bids and award items separately, grouped or on an all or none basis, to accept the bid which is in the best interest of the City parish, and to reject all proposals if that is in the best interest of the City Parish.
7. Except for bids submitted through the www.bidexpress.com on-line bidding site, bids shall be accepted only on bid forms furnished by the City of Baton Rouge and Parish of East Baton Rouge Purchasing Division. Altered or incomplete bids (including non-acknowledgement of addenda issued, if any), or the use of substitute forms or documents, shall render the bid non-responsive and subject to rejection.
8. All bids must be typed or written in ink. Any erasures, strikeover and/or changes to prices should be initialed by the bidder. Failure to initial may be cause for rejection of the bid as non-responsive.
9. All bids must be signed. Failure to do so shall cause the bid to be rejected as non-responsive.
10. Where one or more vendor's exact products or typical workmanship is designated as the level of quality desired or equivalent, the Purchasing Division reserves the right to determine the acceptability of any equivalent offered.
11. Detailed factory specifications, illustrative literature and any deviations should be submitted with bid as required by the specifications or on the bid form. Representative samples shall be submitted upon request, if appropriate. Bidders proposing an equivalent brand or model should submit with the bid information (such as illustrations, descriptive literature, and technical data) sufficient for the City to evaluate quality, suitability, and compliance with the specifications in the solicitation.
12. Written addenda issued prior to bid opening which modifies the bid shall become a part of the bid, and shall be incorporated within the purchase order and/or contract. Only a written interpretation or correction by Addendum shall be binding. Bidders shall not rely upon any interpretation or correction given by any other method. Failure to acknowledge receipt of addenda (if any) shall render the bid non-responsive and subject to rejection.
13. For Printing solicitations, artwork, dies and/or molds shall become the property of the City - Parish Government and must be returned to the Purchasing Division, 222 Saint Louis Street, 8th Floor, Room 826, Baton Rouge, LA 70802, upon completion of the order.

Rev. 02/2016

14. All applicable chemicals, herbicides, pesticides and hazardous materials must be registered for sale in Louisiana by the Department of Agriculture, State of Louisiana, registered with the EPA and must meet all requirements of Louisiana State Laws. Bidders must submit product label, material safety data sheet and EPA registry number with bid. This information will be required on any subsequent deliveries if there is a change in chemical content or a different product is being supplied. Failure to submit this data may be cause for the bid to be rejected or the contract canceled.
15. Delivery of items must be made on time to City - Parish final destinations within East Baton Rouge Parish. All freight charges shall be prepaid by vendor. Late deliveries or unsatisfactory performance may be cause to cancel the Purchase Order or contract.
16. All bidders should submit with their bid, or have on file with the Purchasing Division, a City - Parish Business Profile Data Form. The Business Profile Data Form is available at the Purchasing Department section of the City of Baton Rouge website, www.brgov.com, or by calling the Purchasing Department at 225-389-3259.
17. The State of Louisiana Code of Governmental Ethics places restrictions on awarding contracts or purchase orders to persons who are employed by any agency of the City - Parish Government, or any business of which he or his spouse has more than a twenty-five percent (25%) interest. The Code also prescribes other restrictions against conflict of interest and establishes guidelines to assure that appropriate ethical standards are followed. If any question exists regarding potential violation of the Code of Ethics, bidders should contact the Purchasing Division prior to submission of the bid. Any violation of the Code of Ethics shall be grounds for disqualification of bid or cancellation of contract.
18. City - Parish purchases are excluded from state and local taxes.
19. Acceptance of award by vendor, either in writing or by shipment of any article described herein, shall effectuate a contract between City - Parish and vendor for the materials described herein, and no additional conditions or amendments shall have any effect unless approved in writing by City - Parish.
20. Bidders may attend the bid opening, but no information or opinions concerning the ultimate contract award will be given at the bid opening or during the evaluation process. Bids may be examined within 72 hours after bid opening. Information pertaining to completed files may be secured by visiting the EBR City Parish Purchasing office during normal working hours.
21. The City - Parish is an equal opportunity employer, and does not discriminate against anyone on the basis of race, sex, creed, color, religion, national origin, ancestry, reprisal, disability, sexual orientation, marital status or political affiliation.
22. In accordance with Louisiana Revised Statutes, a preference may be allowed for equivalent products produced, manufactured or grown in Louisiana and/or firms doing business in the State of Louisiana. Do you claim this preference if allowed? YES NO _____. If this preference is claimed, attach substantiating information to the proposal to show the basis for the claim.
23. Right To Audit Clause: The Contractor shall permit the authorized representative of the City-Parish to periodically inspect and audit all data and records of the Contractor relating to his performance under this contract.
24. Terms and Conditions: This solicitation contains all terms and conditions with respect to the purchase of the goods and/or services specified herein. Submittal of any contrary terms and conditions may cause your bid to be rejected. By signing and submitting a bid, vendor agrees that contrary terms and conditions which may be included in their bid are nullified; and agrees that this contract shall be construed in accordance with this solicitation and governed by the laws of the State of Louisiana as required by Louisiana Law.
25. In accordance with the provisions of LA. R.S. 38:2212.9, in awarding contracts after August 15, 2010, any public entity is authorized to reject the lowest bid from, or not award the contract to, a business in which any individual with an ownership interest of five percent or more has been convicted of, or has entered a plea of guilty or ***Nolo Contendere*** to any state felony crime or equivalent federal felony crime committed in the solicitation or execution of a contract or bid awarded under the laws governing public contracts under the provisions of Chapter 10 of this Title, professional, personal, consulting, and social services procurement under the provisions of Chapter 16 of Title 39 of the Louisiana Revised Statutes of 1950, or the Louisiana Procurement Code under the provisions of Chapter 17 of Title 39 of the Louisiana Revised Statutes of 1950.

26. Certification of no suspension or debarment. By signing and submitting any bid for \$25,000 or more, the bidder certifies that their company, any subcontractors, or principals are not suspended or debarred by the general services administration (GSA) in accordance with the requirements in OMB circular a-133.

A list of parties who have been suspended or debarred can be viewed via the internet at <http://www.sam.gov>.

27. Bid prices shall included delivery of all items F.O.B. destination or as otherwise provided. Bids containing "Payment in Advance" or "C.O.D. requirements may be rejected. Payment is to be made within 30 days after receipt of properly executed invoice or delivery, whichever is later.

28. Bidders may attend the bid opening, but no information or opinions concerning the ultimate contract award will be given at the bid opening or during the evaluation process. Bids may be examined within 72 hours after bid opening. Information pertaining to completed files may be secured by visiting the Purchasing Division during normal working hours. Written bid tabulations may be accessed at: <http://brgov.com/dept/purchase/bidresults.asp>.

29. Contractor agrees, upon receipt of written notice of a claim or action, to defend the claim or action, or take other appropriate measure, to indemnify, and hold harmless, the city, its agents and employees from and against all claims and actions for bodily injury, death or property damages caused by fault of the contractor, its officers, its agents, or its employees. Contractor is obligated to indemnify only to the extent of the fault of the contractor, its officers, its agents, or its employees, however the contractor shall have no obligation as set forth with respect to any claim or action from bodily injury, death or property damages arising out of the fault of the City, its officers, its agents, or its employees.

30. In accordance with Louisiana Law (R.S. 12:262.1 and 12:1308.2), all corporations and limited liability companies must be in good standing with the Louisiana Secretary of State at the time of execution of the contract.

31. Vendors submitting signed bids agree to EEOC compliance and certify that they agree to adhere to the mandates dictated by Title VI and VII of the Civil Right Act of 1964, as amended by the Equal Opportunity Act of 1972, Federal Executive Order 11246, the Federal Rehabilitation Act of 1973, as amended, the Vietnam Era Veteran's Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Act of 1975, and agrees to abide by the requirements of the Americans with Disabilities Act of 1990.

Bidders must agree to keep informed of and comply with all federal, state and local laws, ordinances and regulations which affect their employees or prospective employees.

I. Remedies for Breach

Bidder acknowledges that contracts in excess of the simplified purchase threshold (\$150,000.00) shall contain provisions allowing for administrative, contractual, or legal remedies for contractor breaches of the contract terms, and shall provide for such remedial actions as appropriate.

II. Termination and Settlement

Bidder acknowledges that contracts in excess of \$10,000.00 shall contain termination provisions including the manner in which termination shall be effected and the basis for settlement. In addition, such provisions shall describe conditions for termination due to fault and for termination due to circumstances outside of the contractors' control.

III. Access to Records

Bidder acknowledges that all contracts (except those for less than the small purchase threshold) shall include provisions authorizing the recipient, US Funding Agency, the Comptroller General, or any of their duly authorized representatives access to all books, documents, papers, and records of the contractor which are directly pertinent to a specific program for the purpose of making audits, examinations, excerpts, and transcriptions.

IV. Equal Employment Opportunity

Bidder acknowledges that all contracts shall contain provisions requiring compliance with

E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11236 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Dept. of Labor.

V. Copeland "Anti-Kickback" Act

Bidder acknowledges that all construction/repair contracts and sub-grants in excess of \$2,000 shall include provisions requiring compliance with the Copeland "Anti-kickback" Act (18

U.S.C. §3141-3148), which provides that each contractor or sub-recipient shall be prohibited from inducing any person employed in the construction, completion, or repair of public work, to give up any part of the entitled.

VI. Davis-Bacon Act

Bidder acknowledges that all construction contracts in excess of \$2,000 shall include a provision for compliance with the Davis-Bacon Act, which requires contractors to pay laborers and mechanics wages at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. Additionally, contractors shall be required to pay wages not less than once a week.

VII. Contract Work Hours and Safety Standards Act

Bidder acknowledges that all construction contracts in excess of \$2,000, and all other contracts involving the employment of mechanics or laborers in excess of \$2,500 shall include provisions for compliance with sections 102 and 107 of the Contract Work Hours and Safety Standards Act, which requires each contractor to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours. Section 107 is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions that are unsanitary, hazardous, or dangerous.

VIII. Rights to Inventions Made Under a Contract or Agreement

Bidder acknowledges that contracts for the performance of experimental, developmental, or research work shall include provisions providing for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR part 401, "Rights to Inventions Made by Nonprofit Organizations and the Small Business Firms Under Governments Grants, Contracts, and Cooperative Agreements"

IX. Clean Air Act

Bidder acknowledges that the Clean Air Act (CAA) is the comprehensive federal law regulating air emissions from stationary and mobile sources. Among other things, this law authorizes EPA to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants

X. Clean Water Act.

The contractor hereby agrees to adhere to the provisions which require compliance with all applicable Standards, orders, or requirements issued under section 508 of the clean water act which prohibits the use under non-exempt Federal contracts, grants or loans of facilities included on the EPA list of violating facilities

XI. Energy policy and conservation act

The contractor hereby recognizes the mandatory standards and policies relating to energy Efficiency which is contained in the state energy conservation plan issued in compliance with the energy policy and Conservation act (P.L. 94-163).

Bidders must agree to keep informed of and comply with all federal, state and local laws, ordinances and regulations which affect their employees or prospective employees.

ADDITIONAL REQUIREMENTS:

- **THE ATTACHED BIDDER'S ORGANIZATION SHEET SHOULD BE COMPLETED TO INDICATE WHETHER BIDDER IS AN INDIVIDUAL, PARTNERSHIP, CORPORATION OR A JOINT VENTURE**
- **DEALER LICENSE REQUIREMENTS**

Any vendor wishing to bid on vehicles for City of Baton Rouge/Parish of East Baton Rouge must be in compliance with Chapter 6, Distribution and Sales of Motor Vehicles, LA State Statute R.S. 32:1251, which stipulates any motor vehicle manufacturer, distributor, dealer and lessor doing business in Louisiana must be licensed in Louisiana.

All bidders shall include a copy of their valid dealer's license, issued under the provisions of R.S. 32:1254, with any bid submitted. Per R.S. 38:2218.8, public entities are prohibited from accepting bids from or entering into any contract or cooperative endeavor agreement or any other transaction for the procurement of vehicles with a dealer who does not possess a valid dealer's license issued pursuant to R.S. 32:1254. A public entity shall reject any bid submitted by a dealer for the purchase of vehicles which does not include a copy of a valid dealer license.

RS 38:2212.8 Prohibition of bids from or contracts with unlicensed dealers

- A. A public entity shall not accept any bid from or enter into any contract or cooperative endeavor agreement, or any other transaction for the procurement of vehicles, with a dealer who does not possess a valid dealer's license issued under the provisions of R.S. 32:1254.
- B. A public entity shall require that any bid submitted by, or a contract or cooperative endeavor agreement with, a dealer for the purchase of vehicles shall include a copy of a valid dealer's license issued under the provisions of R.S. 32:1254.
- C. A public entity shall reject any bid submitted by a dealer for the purchase of vehicles which does not include a copy of a valid dealer license.
- D. A public entity shall not sign a contract or cooperative endeavor agreement with a dealer for the purchase of vehicles which does not include a copy of a valid dealer license.
- E. If in the course of an audit or review by the legislative auditor, pursuant to the powers and duties in R.S. 24:513, a violation of this Section is found, the legislative auditor shall report such findings to the Louisiana Motor Vehicle Commission.

Acts 2010, No. 376, §1.

- **SPECIAL INSTRUCTIONS FOR VEHICLES AND EQUIPMENT**

1. Bidders must be manufacturer's authorized dealer/representatives for the equipment being bid. In addition, for titled vehicles, bidders must be a licensed Louisiana motor vehicle dealer.
2. Bid prices shall include but not be limited to all items as described in the specifications, freight, "Preparation Charges", temporary license plate and safety inspection stickers if applicable and the standard factory warranty, but shall not include Federal Excise Tax. A Federal Excise Tax exemption certificate will be furnished with the Purchase Order. For vehicles or equipment requiring licenses, the City - Parish will obtain licenses. The City - Parish is excluded from all state and local sales taxes. The right is reserved to accept a price reduction from the successful vendors) to the City - Parish Government on any bid submitted. The City - Parish reserves the right to add or delete factory options at the dealer's invoice cost

Bid prices shall be based on earliest attainable delivery without incurring premium costs.

3. The dealer shall not attach any dealer identification, advertising or similar material to the equipment.
4. All titles, invoices, certificates of origin, odometer statements and warranties must be issued in the name of Baton Rouge Police Department, 333 Chippewa St., Baton Rouge, LA 70805

Invoices shall not be dated any earlier than the day of delivery on any equipment

5. Successful bidder shall furnish to owner two (2) complete sets of operating manuals for each different piece of equipment. This requirement does not apply to Annual Contracts for automobiles and light trucks.

**BIDDER'S ORGANIZATION
BIDDER IS:**

AN INDIVIDUAL

Individual's Name: _____

Doing business as: _____

Address: _____

Telephone No.: _____ Fax No.: _____

A PARTNERSHIP

Firm Name: _____

Address: _____

Name of person authorized to sign: _____

Title: _____

Telephone No.: _____ Fax No.: _____

A LIMITED LIABILITY COMPANY

Company Name: _____

Address: _____

Name of person authorized to sign: _____

Title: _____

Telephone No.: _____ Fax No.: _____

A CORPORATION

**IF BID IS BY A CORPORATION, THE CORPORATE RESOLUTION MUST
BE SUBMITTED WITH BID.**

Corporation Name: _____

Address: _____

State of Incorporation: _____

Name of person authorized to sign: _____

Title: _____

Telephone No.: _____ Fax No.: _____

IF BID IS BY A JOINT VENTURE, ALL PARTIES TO THE BID MUST COMPLETE THIS FORM.

CORPORATE RESOLUTION

A meeting of the Board of Directors of _____ a corporation organized under the laws of the State of _____ and domiciled in _____ was held this _____ day of _____, 20__ and was attended by a quorum of the members of the Board of Directors.

The following resolution was offered, duly seconded and after discussion was unanimously adopted by said quorum:

BE IT RESOLVED, that _____ is hereby authorized to submit proposals and execute agreements on behalf of this corporation with the City of Baton Rouge, and Parish of East Baton Rouge.

BE IT FURTHER RESOLVED, that said authorization and appointment shall remain in full force and effect, unless revoked by resolution of this Board of Directors and that said revocation will not take effect until the Purchasing Director of the Parish of East Baton Rouge, shall have been furnished a copy of said resolution, duly certified.

I, _____, hereby certify that I am the Secretary of _____, a corporation created under the laws of the State of _____ domiciled in _____; that the foregoing is a true and exact copy of a resolution adopted by a quorum of the Board of Directors of said corporation at a meeting legally called and held on the ____ day of _____, 20__, as said resolution appears of record in the Official Minutes of the Board of Directors in my possession.

This ____ day of _____, 20__.

SECRETARY